**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**

Crl. Misc. No. 80849-M of 2006

DATE OF DECISION : 06.03.2007

Dharampal Prasser

**....** PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sandeep Chopra, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

The petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 407 dated 8.12.1999 under Sections 406, 420 IPC, registered at Police Station Civil Lines, Patiala, District Patiala.

I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 27.10.2006, passed by Additional Sessions Judge, Patiala, whereby bail application of the petitioner has been dismissed.

As per allegations in the FIR, petitioner and his son floated a scheme of lottery/chit fund in July, 1998 and have defrauded the complainant of her money. During trial, petitioner was declared proclaimed offender and his son was acquitted. Thereafter, petitioner surrendered on 6.10.2006 and supplementary challan has been filed. Counsel contends that till date, not even a single prosecution witness has been examined and trial is not likely to conclude soon. The aforesaid material facts have not been disputed by the State Counsel.

In view of the above, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

**March 06, 2007** **( SATISH KUMAR MITTAL )**
ndj **JUDGE**